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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/698,055	
	Filing Date	10/30/2003	
	First Named Inventor	Anders Hebsgaard	
	Art Unit	2664	
	Examiner Name	Chin, Wellington	
Total Number of Pages in This Submission	9	Attorney Docket Number	BP 1622

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached (via credit card payment form PTO-2038) <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement (including hard copies of non-U.S. patent reference) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>SEE BELOW</b>
<b>Remarks</b> The following is enclosed herewith: 1. Authorization ltr. for Dee Henderson sig authority (dated 02/08/2005) - 1 pg. 2. Authorization ltr. for Cust. #51472 practioners 3.73(b) sig authority (dated 2/01/2006) - 1 pg. 3. Executed Power of Attorney to Prosecute Applications (Form PTO/SB/80) - 1 pg. 4. Statement Under 37 CFR 3.73(b) (Form PTO/SB/96) - 1 pg. 5. Decision According Status Under 37 CFR 1.47(a) copy mailed 06/03/2004 - 2 pgs. 6. Executed Assignment for BP 1622 - 2 pgs. 7. Return Receipt Postcard		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm Name	Garlick Harrison & Markison, LLP	
Signature	/James A. Harrison/Reg. #40401	
Printed name	James A. Harrison	
Date	03/15/2006	Reg. No. 40,401

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Sherry Wolf McWhinnie	Date 03/15/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**BROADCOM CORPORATION**  
16215 Alton Parkway, P.O. Box 57013  
Irvine, California 92619-7013

Phone: 949-450-8700  
Fax: 949-450-8710

February 8, 2005

To whom it may concern:

I, Henry Samueli, hereby authorize Dee Henderson, Senior Manager, Intellectual Property Administration, to execute documents relating to US and foreign patent and trademark matters on behalf of Broadcom Corporation and/or its subsidiaries.

Henry Samueli, Ph.D.  
Chief Technical Officer



**BROADCOM CORPORATION**  
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Irvine, California 92619-7013

Phone: 949-450-8700  
Fax: 949-450-8710

February 01, 2006

TO WHOM IT MAY CONCERN

I, Dee Henderson, do hereby authorize the practitioners associated with USPTO (United States Patent and Trademark Office) Customer Number 51472 (whose information is provided below) to act on behalf of the Assignee, Broadcom Corporation, in patent related matters before the USPTO.

This authorization granted to practitioners associated with USPTO Customer Number 51472 includes the authorization to execute statements made under 37 C.F.R. §3.73(b) on behalf of the Assignee, Broadcom Corporation.

Dee Henderson  
Senior Manager, Intellectual Property Administration

**USPTO CN 51472**  
Garlick Harrison & Markison LLP  
P.O. Box 160727  
Austin, Texas 78716-0727  
TEL: (512) 264-8816  
FAX: (512) 264-3735



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## POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

51472

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

51472

OR

<input type="checkbox"/> Firm or Individual Name	Garlick Harrison & Markison LLP		
Address	P.O. Box 160727		
City	Austin	State Texas	Zip 78716-0727
Country	USA		
Telephone	(512) 264-8816	Email	(512) 264-3735

Assignee Name and Address:  
Broadcom Corporation  
16215 Alton Parkway  
Irvine, California 92618-7013

Note: Broadcom Corporation is a California corporation

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

### SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	2/1/06
Name	Dee Henderson	Telephone	(949) 450-8700
Title	Senior Manager, Intellectual Property Administration		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Anders HebsgaardApplication No./Patent No.: 10/698,055 Filed/Issue Date: October 30, 2003 (10/30/2003)Entitled: DOCSIS MAC Layer-Based ARQ for Fixed Wireless

Broadcom Corporation, a California Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
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3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/James A. Harrison/Reg. #40401March 15, 2006

Signature

Date

James A. Harrison, Reg. No. 40,401(214) 902-8100

Printed or Typed Name

Telephone Number

Practitioner associated with USPTO CN 51,472

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**JUN 03 2004**

**OFFICE OF PETITIONS**

In re Application of :  
Anders Hebsgaard and Mark Dale :  
Application No. 10/698,055 :  
Filed: October 30, 2003 :  
Attorney Docket No. BP 1622 :  
Title: DOCSIS MAC LAYER-BASED ARQ :  
FOR FIXED WIRELESS :

: DECISION ACCORDING STATUS  
: UNDER 37 CFR 1.47(a)

This is a decision on the PETITION UNDER 37 CFR 1.47 filed April 6, 2004 (certificate of mailing April 2, 2004).

The petition is **GRANTED**.

The above-identified application was filed on October 30, 2003, with an unexecuted declaration, missing the basic statutory filing fee and with additional claim fees due. Anders Hebsgaard and Mark Dale were named as joint inventors. Accordingly, on February 2, 2004, a "Notice to File Missing Parts of Nonprovisional Application" was mailed, requiring an executed oath or declaration, the basic filing fee, the additional claim fees and a surcharge for late filing.

In response, rule 47 applicant timely filed the instant petition (and fee); the late surcharge; the outstanding filing fees and a declaration executed by inventor Hebsgaard on behalf of himself and on behalf of non-signing inventor Dale. Rule 47 applicant maintains that status under 37 CFR 1.47 is proper because joint inventor Dale has refused to join in the application for patent.

By declaration of facts of attorney James A. Harrison, with supporting documentary evidence, petitioner has shown that the application papers were presented to inventor Mark Dale by regular mail and by certified mail - return receipt requested. By his conduct in not responding to the presentation of the application papers and request to sign the declaration, inventor Dale has refused to join in the application. The petition includes payment of the petition fee and the last known address of inventor Dale.

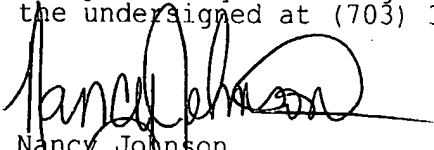
The declaration filed April 6, 2004, and the petition have been reviewed and found in compliance with 37 CFR 1.47(a).

This application is hereby accorded Rule 1.47(a) status. As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

On petition under 1.47, rule 47 applicant also requests that any patent which may issue from the application be issued to Broadcom Corporation. In this regard, applicant is advised that a decision granting a petition under 37 CFR 1.47 does not alter the ownership interest or title of the application. If the non-signing inventor has not signed an assignment document which has been recorded in the USPTO, then the 37 CFR 1.47 applicant (the company that files the petition under 37 CFR 1.47(b) and establishes proprietary interest in the application) is NOT the assignee of the entire interest of the application. Furthermore, the requirements for issuance of the patent to an assignee, including a partial assignee, are provided for in 37 CFR § 3.81, not 37 CFR § 1.47.

Technology Center 2661 has been advised of this decision. The application will be examined in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0309.



Nancy Johnson  
Senior Petitions Attorney  
Office of Petitions

## ASSIGNMENT

WHEREAS, the undersigned inventors, hereinafter called the "Assignors", have invented a new and useful invention entitled:

### DOCSIS MAC LAYER-BASED ARQ FOR FIXED WIRELESS

for which reference a full description is here made in an application for Letters Patent of the United States filed herewith.

WHEREAS, Broadcom Corporation, a USA company having a principal office and place of business at, 16215 Alton Parkway Irvine California 92618-7013 hereinafter called the "Assignee", is desirous of acquiring the entire right, title and interest in and to said invention, the application above identified, and in, to and under Letters Patent which may be obtained for said invention, as hereinafter more fully set forth;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for valuable legally sufficient consideration, the receipt of which by the Assignors from the Assignee is hereby acknowledged, the Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto the Assignee, its successors and assigns, the entire right, title and interest in and to the invention and the application herein above identified, and all Letters Patents that may issue for the said invention, and all division, reissues, substitutions, continuations, and extensions thereof, to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns to the full end of the term for which any and all of said Letters Patents for the said invention may issue.

FURTHER, be it known that the Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto the Assignee, its successors and assigns, the entire foreign rights to the invention disclosed in said application, in all countries of the world, including the right to file applications and obtain patents under the terms of the International Convention, and further agrees to execute any and all patent applications, assignments, affidavits, and any other papers in connection therewith necessary to perfect such patent rights.

And the Assignors do hereby covenant and agree, for themselves and their legal representatives, that they will assist the Assignee in the prosecution of the application herein identified; in the making and prosecution of any other applications for Letters Patent that the Assignee may elect to make covering the invention herein identified, as herein before set forth, including any application for reissue, application for reexamination, application for foreign patent rights, or any proceeding in the United States Patent and Trademark Office affecting the invention, investing in the Assignee exclusive title in and to all such other applications and Letters Patent; and in the prosecution of any interference which may arise involving said invention, or any application or Letters Patents herein contemplated; that they will promptly execute and deliver to the Assignee any and all additional



papers and make all lawful oaths which may be requested by the Assignee to fully carry out the terms of this assignment; and further that they will communicate to Assignee, or to its successors, assigns, and legal representatives, and facts known respecting said invention, and at the expense of the Assignee, testify in any legal proceedings, and generally do everything possible to aid the Assignee, its successors, assigns and nominees to obtain and enforce proper patent protection for said invention in all countries.

And the Commissioner of Patents and Trademarks is hereby authorized and requested to issue all Letters Patent to the Assignee in accordance with the terms of the assignment.

IN TESTIMONY WHEREOF, the Assignors have hereunto set their hands on the date indicated below.

 Oct 31.  
Anders Hebsgaard date 2003

Mark Dale

date

date

date

date

date

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